

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FREDERICK WILLIAMS,

Case No. 1:20-cv-00082-NONE-SAB-HC

Petitioner,

ORDER DENYING PETITIONER'S MOTION TO TRANSFER

V.

(ECF No. 13)

TUOLUMNE COUNTY COURT,

Respondent.

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging the validity of his sentence in light of recent changes to California law and requesting this Court to modify his sentence.

On January 30, 2020, the undersigned issued findings and recommendation to dismiss the petition for failure to state a cognizable federal habeas claim. (ECF No. 9). On February 18, 2020, the Court received the instant motion to transfer the petition to the United States District Court for the Northern District of California “where a review on the merits can be obtained.” (ECF No. 13 at 1).¹ The Court finds that a transfer would not be appropriate given that the petition fails to state a cognizable federal habeas claim and Petitioner’s motion appears to be an attempt to engage in forum shopping. See Rumsfeld v. Padilla, 542 U.S. 426, 458 (2004) (Stevens, J., dissenting) (“All Members of this Court agree that . . . habeas petitioners should not

¹ Page numbers refer to the ECF page numbers stamped at the top of the page.

1 be permitted to engage in forum shopping.”).

2 Accordingly, IT IS HEREBY ORDERED that Petitioner’s motion to transfer (ECF No.

3 13) is DENIED.

4 IT IS SO ORDERED.

5 Dated: February 19, 2020


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UNITED STATES MAGISTRATE JUDGE